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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/554,383	10/25/2005	Hendrikus Petrus Vranken	NL03 0461 US1	7931

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NXP, B.V.  
NXP INTELLECTUAL PROPERTY DEPARTMENT  
M/S41-SJ  
1109 MCKAY DRIVE  
SAN JOSE, CA 95131

EXAMINER
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MCMAHON, DANIEL F

ART UNIT	PAPER NUMBER
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2117

NOTIFICATION DATE	DELIVERY MODE
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12/09/2008

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ip.department.us@nxp.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/554,383	<b>Applicant(s)</b> VRANKEN ET AL.	
	<b>Examiner</b> DANIEL F. MCMAHON	<b>Art Unit</b> 2117	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 19 November 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-9, 13, 15, 17 and 19-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-9, 13, 15 and 20 is/are rejected.
- 7) ☒ Claim(s) 5, 17, 19 and 21 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |                                                                                      |                                                                   |
|--------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____                                                          | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on November 19, 2008 has been entered.

Claims 1 – 9, 13, 15, and 17, 19 - 21 are pending in the application.

Claims 1 – 4 and 17 have been amended.

Claims 10 - 12, 14, 16, and 18 are cancelled.

### ***Claim Objections***

2. Claims 1 and 3 are objected to because of the following informalities: The phrasing “responsive to determining” is unclear. Examiner suggests “in response to determining”. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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4. Claims 1 – 4, 6, 7 – 9, 13, 15, and 20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

5. Claim 1 recites the limitation "the number of vectors" in line 8, 10, 11, 12, 13, and 15. There is insufficient antecedent basis for this limitation in the claim.

6. Claim 2 recites the limitation "the number of vectors" in line 2. There is insufficient antecedent basis for this limitation in the claim.

7. Claim 2 recites the limitation "the merged vector" in line 2. There is insufficient antecedent basis for this limitation in the claim.

8. Claim 3 recites the limitation "the number of vectors" in line 4. There is insufficient antecedent basis for this limitation in the claim.

9. Claim 4 recites the limitation "the merged vector" in line 4. There is insufficient antecedent basis for this limitation in the claim.

10. Claim 6 recites the limitation "the merged vector" in line 3. There is insufficient antecedent basis for this limitation in the claim.

11. Claim 6 recites the limitation "the resultant output data" in line 5. There is insufficient antecedent basis for this limitation in the claim.

12. Claim 7 recites the limitation "said output data" in line 2. There is insufficient antecedent basis for this limitation in the claim.

13. Claim 15 recites the limitation "the merged vector" in line 2. There is insufficient antecedent basis for this limitation in the claim.

14. Claim 20 recites the limitation "the merged vector" in line 1. There is insufficient antecedent basis for this limitation in the claim.

15. Claim 20 recites the limitation "the subsequent merged vector set" in line 5. There is insufficient antecedent basis for this limitation in the claim.

16. Claim 8, 9, 13, and 15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

17. Regarding claim 8, applicant has claimed an apparatus using the method of claim 1. A single claim which claims both an apparatus and the method steps of using the apparatus is indefinite under 35 U.S.C. 112, second paragraph. MPEP 2173.05(p)(II).

Additionally, when an the practice of an method requires a particular apparatus, the application must provide a sufficient disclosure of the apparatus. Applicant has not

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sufficiently disclosed the claimed apparatus for the practice of the method of claim 1.

MPEP 2164.01(b).

18. Regarding claims 9, 13, and 15, the claims are rejected as dependant on the rejected claim 8.

***Allowable Subject Matter***

19. Claim 1 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

20. Claims 2 – 7, 17, and 19 - 21 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

21. Claims 5, 17, 19, and 21 are objected to as being dependent upon a rejected base claim.

22. The following is an examiner's statement of reasons for allowance:

The present invention includes a method of compressing data that includes a sequence of at least two subsequent vectors, the at least two subsequent vectors each having one or more bits including care bits and don't care bits.

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The claimed invention recites features such as: "...filling in the don't care bits of the number of vectors using a random fill process when the number of vectors is less than a number  $n$  filling in the don't care bits of the number of vectors using a non-random fill process when the number of vectors is greater than or equal to the number  $n$ "

The prior arts of record (Venkataraman et al. (herein Venkataraman), "An Efficient Bist Scheme Based On Reseeding Of Multiple Polynomial Linear Feedback Shift Register", and Distler et al. (herein Distler), U.S. Publication 2002/0099992 as examples of such prior arts) do not teach the same method.

Venkataraman teaches: A method of compressing data comprising a sequence of at least two subsequent vectors; wherein a vector comprises one or more bits including care bits and don't care bits.

Distler teaches: filling don't care bits with a random fill algorithm, or a repeat fill algorithm.

However, the prior art of record fails to teach: using a random fill process when the number of vectors is less than a number  $n$  and using a non-random fill process when the number of vectors is greater than or equal to the number  $n$ .

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

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accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL F. MCMAHON whose telephone number is (571)270-3232. The examiner can normally be reached on M-Th 8am-5pm(EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jacques Louis-Jacques can be reached on (571)272-6962. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/John P Trimmings/  
Primary Examiner,  
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Dfm

12/03/08